



ARDEN

ACADEMY TRUST

Arden Academy (Arden) is an academy maintained by Arden Academy Trust

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1. **Introduction**

Arden Academy Trust recognises that the way in which employees carry out their day to day work is critical in delivering high quality services. This Code of Conduct has been written to outline how Arden Academy Trust employees and other individuals who work for the Academy should behave, that they should conduct themselves in a manner conducive to maintaining good working relationships with colleagues, customers, suppliers and stakeholders.

Further information can be sought from the Teacher Standards 2012 Document (www.education.gov.uk).

The public is entitled to expect the highest standards of conduct from all employees of Arden Academy Trust. Arden Academy Trust has an expectation that all employees will commit to what the Academy is seeking to achieve and be an integral part in delivering services to the local community. In performing these duties employees are required to 'live the Arden brand' by being passionate, open, honest and approachable.

This Code of Conduct is consistent with the **principles of public life**; selflessness, honesty and integrity, objectivity, accountability, openness, personal judgement, respect for others, duty to uphold the law, stewardship and leadership.

Failure to comply with this Code of Conduct could result in disciplinary action being taken and in certain circumstances could result in an employee's contract being terminated.

2. **Purpose**

This code specifies the standards of conduct, behaviour, responsibilities and actions expected of Arden Academy Trust employees who are essential for undertaking the Academy's business, for ensuring a safe and efficient workplace and for maintaining good employment relationships.

This policy applies to:

- Employees – teaching staff and associate staff

This code should also be used in conjunction with other professional codes of conduct and practice. Employees who belong to a profession must ensure that they adhere to the standards of their professional body.

Although this code sets out some of the areas where issues can arise, it cannot cover every situation, but will be subject to reasonable interpretation in situations not specifically included.

The code is designed to make sure that employees understand what is expected of them and the possible consequences of failing to comply with the required standards. Where individuals have been engaged by the Academy but are not employees e.g. agency staff, contractors, they are never the less required to comply with the spirit of the code. Any action which might be taken in response to a breach will depend on the precise nature of their working relationship with the Academy.

Where practical, a link has been included to some of the policies and procedures referred to in this document. Other policies and procedures are available via your line manager / Principal where you do not have internet access.

3. Scope and Responsibilities

- Employees and those undertaking work on behalf of the Academy

It is your responsibility as an employee to maintain the highest standards of conduct. Employees are expected through agreed procedures and without fear of recrimination to bring to the attention of the appropriate level of management any deficiency in the provision of service or breach of procedure. Employees must not engage in an activity which actively undermines the work of the Academy. This does not detract from employees' rights to engage in lawful protest or constructive discussion.

As an employee of Arden Academy you are in a position of trust within the organisation and it is essential that you do not breach this trust. If you work with children, young people or vulnerable adults you are in a position of power and trust in relation to these service users. There is potential for exploitation and harm to these vulnerable groups and you have a responsibility to ensure that you do not abuse this trust by using your position to gain access to information for your own or others' advantage, nor do you use your position to cause harm to a child, intimidate, bully pupils or use it to form inappropriate relationships. You must maintain professional boundaries. It is your responsibility to report abuse of a child, young person or vulnerable adult as soon as it is witnessed. Any allegations against employees will be handled in line with the practice guidance detailed in the **Arden Academy Trust Managing Allegations Against Employees Policy**.

Arden Academy staff should also familiarise themselves with school safeguarding and child protection policies.

The above explanation of scope and responsibilities for employees (and others engaging in work on behalf of the Academy) applies to activity both inside and outside of work.

- Line Manager / Principal

It is the line-manager's / Principal's responsibility to ensure that employees are informed of and clearly understands the Code of Conduct and their own responsibilities. It is also their responsibility to ensure that any breach of the Code is dealt with promptly using the appropriate procedure and to consult Human Resources for advice, where appropriate.

- Recognised Trade Union Representatives

It is the responsibility of trade unions to be familiar with the code and act as a point of contact for employees.

- Human Resources

It is the role of Academy's Human Resources Advisers to advise and support on the application of the code and the process for handling any breach of it together with the updating of the Code of Conduct.

4. Confidentiality / Treatment of Information

Arden Academy Trust recognises and accepts that openness and trust creates the best working relationships.

You must not use any information obtained in the course of your employment, which is not available to the public, for personal gain or benefit, nor should you pass it on to others who might use it in such a way. This is privileged information and should be treated as such.

There are legal obligations by which you are governed in relation to privacy and security whilst you are processing personal information relating to any living individual. If you have any doubt as to whether or not disclosure is appropriate, even in response to an apparently legitimate inquiry such as a police investigation or request for information under the Freedom of Information or Data Protection Acts, you should speak to your manager / Principal.

You must decline any approaches or offers made asking for information which is or could be detrimental to, or help others to gain a contract, grant or any other advantage from the Academy and / or its employees e.g. a potential contractor could offer a financial reward for information leading to the award of a contract. Approaches or offers of this kind must be declared to your line manager / Principal without delay.

If you work with children and young adults you may have access to sensitive information about them. You should never use this information to intimidate, humiliate or embarrass the vulnerable person. Confidential information should never be shared with another person except

in certain circumstances, for example when abuse is alleged or suspected. In these cases you have a duty to pass on information without delay to those designated with child/adult protection responsibilities.

5. Communication

Communication between employees and service users especially children, young people and vulnerable adults, by whatever method, should take place within clear and explicit professional boundaries. This includes but is not limited to the wider use of technology such as mobile phones, text messaging, e-mails, digital cameras, videos, web-cams, websites and blogs. You should not share any personal information such as personal contact details with a child, young person or vulnerable adult, nor should you request, or respond to, any personal information, other than that which might be appropriate as part of your professional role or agreed with your manager, parents / carers or somebody holding responsibility. You should ensure that all communications are transparent, open to scrutiny and recorded in line with the recording policy of the Academy.

5.1 Use of E-mail and the Internet

You should ensure that you understand and comply with the Academy guidelines and expectations for the use of its electronic communication facilities, in particular internet access, email, mobile and landline telephones, software licensing and use of these facilities; for further details refer to the **Arden Academy Trust e-Safety Policy** and guidelines on **“Responsible Internet Use”**.*

5.2 Social Networking

It is recognised that a number of employees participate in electronic social networking. However, this must not be allowed to conflict with your job.

To maintain confidentiality and to protect the Academy’s reputation, if you use social networking websites which include, but are not exclusive to Facebook, Myspace, Bebo and Friendster, you should:

- Not use Academy systems to access these sites for personal use during working hours and for teachers during directed time. Teachers accessing these sites during their own time should ensure that pupils are not present.
- Staff in the Academy using materials from these sites for lessons, e.g. YouTube, should check the materials beforehand to ensure they are appropriate and suitable for the intended audience.

- Academy staff should ensure that they do not communicate with pupils through private social networking sites even on educational matters, but should use official sites sanctioned by the Academy.
- Take care not to allow your interaction on these websites to damage working relationships between employees, contractors, clients and vulnerable groups and the reputation of the Academy.
- Ensure that you have appropriate security settings in place so that you can place appropriate restrictions on who views your site to comply with the above.

**Other Guideline Documents: Safeguarding Policy; "Social Networking"; "Safer Internet Day 2012"; "Safe Use of Facebook and Other Networking Sites"; "Teachers and Technology Checklist – for Teacher and NQTs"; "Teacher Standards 2012".*

6. Safeguarding Students

6.1 Physical Contact

There are occasions when it is appropriate and proper for employees to have physical contact with students but it is crucial that this is done in ways appropriate to your professional role. You should be aware that even well intentioned physical contact could be misconstrued by the student, an observer or recipient of information regarding the event. You should be prepared to explain your actions and accept that all physical contact could be open to scrutiny.

For further information relating to this please refer to the Department for Children, Schools and Families (DCSF) guidance on 'Safer Working Practice for Adults who work with Children and Young People in Education Settings'. For further details, refer to **Arden Academy Trust Safeguarding Policy**.

6.2 Social Contact

Employees should not seek to establish social contact with students for the purpose of securing a friendship or to pursue or strengthen a personal relationship. This applies to employees during and outside of their role and / or their normal working hours. If a student seeks to establish social contact or if this occurs coincidentally, you should exercise professional judgment in making a response, but should always discuss the situation with your Principal.

It may be necessary and appropriate to undertake visits to a student's home address. However, these visits must never take place at the staff member's own address or at any other location that may be inappropriate or could disadvantage or exploit the student.

For further information please refer to the Department for Children, Schools and Families (DCSF) guidance on 'Safer Working Practice for Adults who work with Children and Young People in Education Settings'.

6.3 Intimate Care

All children, young people and vulnerable adults have a right to privacy and dignity when contact of an intimate nature is required. A care plan should be drawn up for all students who require intimate care on a regular basis.

6.4 Transporting Pupils

It is inappropriate for employees to offer lifts to a student outside of their normal working duties, unless this has been brought to the attention of the Principal and has been agreed with the parents / carers. There may be occasions where the child or young person requires transport in an emergency situation or where not to give a lift may place a child at risk. Such circumstances must always be recorded and reported to a senior manager/ Principal and parent / carers or those with parental responsibility at the earliest opportunity. If employees are transporting a student during their normal working hours, this must be authorised by the employee's line manager / Principal. Employees should also ensure that they are insured to use their vehicle for business purposes.

Any employee transporting a student or acting as a guide for such, will be required to have an enhanced CRB (Criminal Records Bureau) check.

6.5 **Tutoring of School Pupils**

- Independent Tutoring

Teachers, who undertake tutoring on a self-employed basis, must ensure that they do not tutor children from their own classes as this will be a conflict of interest. You must also inform the Principal if they undertake tutoring of children within Arden Academy and always ensure you have the parents' / carers' consent.

- One-to-One Tuition

The above paragraph does not apply where tutors employed by the Academy are undertaking tuition under the one-to-one tuition programme, where students and tutors are identified by the Academy.

7. **Standards of Appearance**

Arden Academy staff should refer to the **Arden Academy Trust Standards of Appearance Policy**.

8. **Relatives and Close Personal Relationships Within the Workplace**

If you are related to or in a relationship with another employee of Arden Academy Trust, in order to avoid any possible accusation of bias you should not be directly involved in their appointment, promotion, discipline, appraisal or other employment decision including approval of expenses. If a situation arises in which you feel you may be in such a position, you should

seek the advice of your Principal. This will protect you from unfair accusations of bias from those who may perceive a conflict exists.

Where you work in close proximity students or other employees to whom you are related or have a close personal connection, you must maintain a strictly professional relationship at work.

9. Gifts, Inducements, Hospitality and Sponsorship

For details, refer to the **Arden Academy Trust Gifts & Hospitality Policy**.

10. Equality and Diversity

All staff, students, members of the community, and other employees have a right to be treated fairly and with dignity. For further details, refer to the **Arden Academy Trust Equality Policy**.

Appropriate conduct is also an important element in ensuring that the Academy meets its statutory equalities duties and you have a responsibility to ensure you have an understanding of what this means in practice.

11. Smoke-Free Environment

Refer to the **Arden Academy Trust No-Smoking Policy**.

Employees are not permitted to smoke whilst on duty or representing the organisation. Staff are only permitted to smoke whilst off duty. You are not allowed to smoke within Arden Academy Trust buildings including schools, workplaces, grounds and vehicles.

12. Drugs and Alcohol

You must familiarise yourself with the Academy's policy on Drug, Alcohol and Substance Abuse. Particularly in relation to driving, the operation of machinery and that your ability to undertake your duties is not impaired by the misuse of any substance.

13. Driving at Work

All persons who drive on behalf of the Academy for business purposes, whether as an essential or casual part of their employment, must adhere to the **Driving at Work Policy**.

You are personally responsible for ensuring that you are:

- Legally qualified to drive and have a valid and current driving licence
- Insured to drive and have adequate and appropriate insurance cover
- Medically fit to drive
- Driving a safe vehicle and where appropriate have a valid MOT

If you are using your own vehicle for any business related activity you must ensure that you have appropriate insurance cover for business use. You must inform your line manager / Principal of any change in circumstances e.g. health deterioration, loss of driving license, etc. You must also ensure that you are complying with legislation particularly with regard to the use of hand held electronic devices.

14. Overseas Travel on Official Business

Any overseas travel on official business must be approved by the Principal and Chair of Governors, for Principals' approval must be gained from the Chair of Governors.

15. Private Work, Second Jobs and Voluntary Activities

You should not enter into any commitments to undertake paid secondary employment or voluntary activities where this could have a conflict of interest with Academy business or interfere with your ability to do your job.

If you take a second job, you should be aware of the Working Time Regulations and ensure you comply with them; not working more than an average of 48 hours per week unless you choose to. There is at present the facility to opt out. This needs to be in writing and would be kept on your personal file. In addition, minimum rest breaks must be observed when considering your total working pattern across different jobs. This dictates that a rest break of 11 hours must occur in any 24 hour period and a minimum of 1 day's rest (24 hours) in any 7 day period. You cannot opt out of minimum rest breaks.

If you have a second job and are unsure of whether there is a conflict of interest, please speak with your line manager / Principal. A conflict of interest may apply where you have a day job with Arden Academy Trust and are then undertaking evening work (paid or voluntary) which is impacting upon your ability to perform your role with Arden Academy Trust, through tiredness and lack of concentration.

You must not undertake private work for any individual, organisation, department or establishment which otherwise would be undertaken as part of your normal duties or by the service area in which you work.

Academy premises, equipment or other resources must not be used to undertake private work without prior permission.

You must not undertake private work when suspended from work, during times when you would normally be required to work for Arden Academy Trust or when on sick leave unless this is part of an agreed rehabilitation programme with your line manager.

16. Whistle-blowing

Arden Academy Trust encourages any employee, those working for or on behalf of Arden Academy Trust, volunteers or service users who have a genuine concern about malpractice or wrong doing within the Academy to come forward without fear of reprisal to voice these concerns. You should raise such concerns initially with your line manager / Principal.

For further details please refer to the Arden Academy **Whistleblowing Policy**.

The Academy takes this issue very seriously and will investigate and address any problems genuinely raised, all reasonable steps will be taken to respect your confidence and protect you from possible reprisals. However any frivolous, malicious or mischievous use of the Whistle-blowing Policy will be dealt with through the Disciplinary Procedure.

17. Anti-Fraud Arrangements

All employees have a responsibility to protect public funds and must act honestly and in accordance with policies and procedures.

The Academy will participate in local and national data matching exercises and employee data will be shared with relevant bodies for the prevention and detection of crime.

18. Criminal Charges, Cautions and Convictions

You must immediately advise your line manager / Principal if you are arrested and bailed, charged with, cautioned or convicted of any criminal offence whilst an employee of the Academy. Traffic offences or fixed penalty charges are exempt from this except where driving is a requirement of your role. While such proceedings will not necessarily affect employment, the Academy needs to be sure there are no implications for its clients, reputation, and service delivery or in relation to the role undertaken. If you are in doubt as to whether you need to inform Arden Academy Trust you should speak with your line manager / Principal in the first instance. Failure to notify Arden Academy Trust, if you are arrested and bailed, charged with, cautioned or convicted of a criminal offence, could result in disciplinary action being taken which could lead to dismissal.

19. Health and Safety at Work

It is the duty of every employee, whilst at work, to take reasonable care for the health and safety of themselves and of other persons who may be affected by their acts or omissions at work. You must familiarise yourself with the Academy's Health and Safety Policy and safe methods of work (including risk assessments) for your particular area of work.

You must also follow the identified control measures and safe practices identified with your work / job and report to your manager and / or health and safety lead officer without delay, defects, malfunctions, hazards, accidents, incidents, 'near misses' and anything thought to be dangerous.

Employees should refer to the **Arden Academy Trust Health and Safety Policy and Management Plan**.

20. Conduct and Performance

Unacceptable behaviour and / or failure to maintain satisfactory standards of conduct or performance will lead to action being taken against you under the appropriate Academy policy or procedure. This includes specifically complying and abiding by Academy policies and procedures. You must therefore ensure that you understand the requirements of this code and any terms and conditions, rules, standards and requirements that apply.

For further details, refer to the **Arden Academy Trust Disciplinary Policy**.

21. Conduct Outside Work

An employee's behaviour outside of work is generally considered to be their own concern. However, there are various situations where the boundaries between work and social activities overlap and a social event which takes place outside of working hours or in settings outside of the workplace, can be genuinely classed as an extension of employment. For example a departmental or Academy party, client functions, team building events and leaving parties may all be considered as an extension of employment. As a result, where employee misconduct occurs during these situations, the Academy may apply the disciplinary procedure to such misconduct.

There may also be other instances where an employee's conduct outside work is cause for concern. Arden Academy Trust employees are public servants and as such, the public expects a high level of trust. Therefore, conduct outside work which might damage this trust, will be investigated under the Disciplinary Procedure and each case considered on its merits.

Employees must be careful to ensure that their conduct outside of work does not bring the Academy into disrepute. Inappropriate conduct outside of work that damages, or could potentially damage the Academy's reputation will normally result in disciplinary action being taken.

22. Further Information

If you require further information or advice you should speak to your manager / Principal first. If you are uncomfortable about this, or if you are still concerned, you should contact one or more of the following:

- Chair of Governors
- If you belong to a Trade Union or professional association contact your local representative.

23. Frequently Asked Questions

Q1. Why do we need to have a Code of Conduct?

A1. It is important that all employees are aware of the standards of behaviour expected by Arden Academy Trust and that these standards are systematically and fairly applied. Employees also need to be aware of the potential consequences of not adhering to the code.

Q2. What happens if I breach the Code?

A2. Failure to observe the code of conduct could lead to action being taken under the Academy's Disciplinary Procedure. This does not preclude appropriate action being taken against an employee under other Academy procedures for reasons other than misconduct, for example unsatisfactory performance which would be dealt with under the Capability Procedure. Please refer to both procedures for the detailed process involved and the potential outcomes which might follow a breach of the Code of Conduct.

Any breach of the code by agency staff must be referred to the agency to be dealt with.

It is not possible to cover all situations which may occur at work. Nor is it possible to state that any single incident of misconduct will always attract the same penalty, bearing in mind such factors as mitigation, previous conduct and personal circumstances.

Q3. How do I know if I am using the internet and email in the correct way?

A3. Refer to Section 5 of this Policy.

Q4. What do I do if I am offered a gift by a supplier or a customer?

A4. Refer to the Arden Academy Trust Gifts & Hospitality Policy.

- Q5. *My father in law is on the Board of Directors for one of Arden Academy Trust's potential contractors, what do I need to do?***
- A5. This would constitute a conflict of interest if you are involved in the process of awarding contracts, or had any influence with the contract. If you have such a relationship you should declare this personal interest by completing Appendix 3.
- Q6. *I have become involved in a close relationship with a team member who I manage. Can I continue with my normal management role?***
- A6. You should not be involved in any disciplinary, appraisal or any other employment decision for an employee for which you have a personal relationship. You also need to be aware that professional boundaries must be kept. If there is any disruption in the workplace or obvious favouritism, action could be taken under the appropriate Academy procedure. If you have any doubts, please contact your manager / Principal or Human Resources for advice.
- Q7. *One of the young people I work with has asked for my personal mobile number and email address. What should I do?***
- A7. You should not give your personal mobile phone number or email address to a young person unless there is a specific need which has been agreed with your line manager, Principal, parents or carers. However, this would be a rare occurrence. If the young person insists in their request you should speak to your line manager/ Principal.
- Q8. *I work with vulnerable adults who can display extreme behaviours. How should I deal with such a situation?***
- A8. Initially you should try to diffuse the situation. If this is not possible then you may need to consider physical intervention. Any physical intervention should be based upon a risk assessment (either formal or 'dynamic' – on spot) and be in the service-user's best interests. It must be reasonable, proportionate and considered absolutely necessary. If physical intervention is used, you must record and report the situation as soon as possible according to local arrangements.
- Q9. *I use social networking sites a lot in my own time, but am regularly contacted to be a 'friend' to pupils whom I teach within my school, what should I do?***
- A9. You need to check your security settings to make sure only those people you wish to have access to your web pages can see them. You should decline the 'friends' requests of pupils and maintain a strictly professional working relationship. If you are unsure, you should speak with your line manager / Principal.

Q10. I work as a contractor and my niece has asked me for a job as a cleaner for whom I would be the line manager for. Can I recruit her?

A10. If there is a vacancy then it would need to be advertised. Your niece can choose to apply for the post, but as she is a relative you should not be involved in the recruitment and selection process as it would be considered a conflict of interest.

If your niece is appointed by another manager and you are her line manager, you must maintain a strictly professional relationship at work and you must not be involved in any employment decisions, for example, appraisals, pay decisions, etc. You should also refer to the Academy's Recruitment and Selection policy.

Q11. If I go to the department's Christmas party and get drunk, what business is it of Arden Academy Trust?

A11. As an employee of Arden Academy Trust if you partake in activities linked with work then it can be genuinely classed as an extension of your employment and we would expect you to conduct yourself appropriately. If your behaviour was influenced by alcohol and you behaved in an inappropriate way this could result in disciplinary action being taken.

Q13. I work as a cleaner within a number of schools; do I need to inform each school that I am working somewhere else?

A13. You must inform the Principal of each school that you work for a number of schools and the total hours that you work. If this exceeds 48 hours per week, you will need to sign an 'opt out form'. You also need to consider your work life balance and your health if you are working this number of hours.

Appendix 1

Definitions

Confidential Information

Is information about children, young people, vulnerable adults or their families which is sensitive and is only known by that person because of the job that they hold.

A vulnerable adult is an adult who:

- Receives any form of health care
- Lives in residential accommodation including sheltered housing
- Receives domiciliary care
- Receives support, assistance or advice to help them live independently
- Requires assistant in the conduct of their on affairs
- Receives a direct payment
- Is an expectant / nursing mother in residential accommodation provided by the LA or NHS
- Receives any service or participates in activity provided specifically because of age of disability
- Is detailed in lawful custody
- Is on probation

Appendix 2

See Code of Conduct for Teachers (DFE)